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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

2004 MAR 31 A 10:26

DOCKETED

MAR 31 2004

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
THE ARIZONA DEPARTMENT OF
TRANSPORTATION TO CONSTRUCT A
GRADE-SEPARATED CROSSING OF THE
BURLINGTON NORTHERN AND SANTA FE
RAILWAY AT 67TH AVENUE, OVER GRAND
AND NORTHERN AVENUES IN THE CITY OF
GLENDALE, MARICOPA COUNTY, ARIZONA.

DOCKET NO. RR-02635B-04-0207

PROCEDURAL ORDER

BY THE COMMISSION:

On March 18, 2004, the Arizona Department of Transportation ("ADOT") filed with the Arizona Corporation Commission ("Commission") a request for approval for the Burlington Northern and Santa Fe Railway Company ("Railroad") to construct a grade-separated crossing at the Railroad's tracks at 67th Avenue over Grand and Northern Avenues in Glendale, Arizona.

IT IS THEREFORE ORDERED that the request of ADOT shall be considered an application for the Railroad to upgrade an existing crossing pursuant to A.R.S. § 40-337, et seq.

IT IS FURTHER ORDERED that the Railroad shall be considered as the Respondent in this proceeding.

IT IS FURTHER ORDERED that the hearing on the application shall be held on April 22, 2004, at 10:00 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that within five business days of receipt of this Procedural Order, the Arizona Department of Transportation shall provide the Railroad and the City of Glendale and any other municipality or interested party that may be affected by the application with a copy of the application and this Procedural Order by certified mail.

1 IT IS FURTHER ORDERED that the Arizona Department of Transportation shall file
2 with the Commission's Docket Control an original and thirteen (13) copies of certification of
3 proof of compliance with this Procedural Order concurrently with the mailing of notice
4 ordered herein.

5 DATED this 31st day of March, 2004.


6
7 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

8
9 Copies of the foregoing mailed/delivered
this 31 day of March, 2004 to:

10 Elaine Mercado, PE
11 Statewide Utilities Coordinator Supervisor
12 Utility & Railroad Engineering Section
205 S. 17th Avenue, Mail Drop 618E
Phoenix, AZ 85007

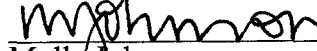
13 David Gibson
14 ADOT
15 Traffic Records Section
206 S. 17th Avenue, MD-064R
Phoenix, AZ 85007

16 Larry J. Delaney
17 Project Engineer
18 BNSF Railway Company
1624 First Street NW
Albuquerque, NM 87102-1538

19 Christopher Kempley, Chief Counsel
20 Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
21 Phoenix, Arizona 85007

22 Don Thompson
23 Railroad Safety Section
ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
24 Phoenix, AZ 85007

25 ARIZONA REPORTING SERVICE, INC.
26 2627 North Third Street, Ste. Three
Phoenix, AZ 85004-1103

27 By: 
28 Molly Johnson
Secretary to Mark Stern